

# **Tiverton Town Council Landfill Subcommittee**

## **Regular Meeting Minutes: 15 March 2006**

### **I: Call to Order**

Chairman Wyman called the meeting to order at 3:12 PM at the Tiverton Town Hall.

Members present: A. Wyman (Chairman), T. Ramotowski, R. Hart, D. Webster (Director of Public Works) and W. G. Steckman (Town Administrator).

Members Absent: J. Fernandes and D. Wilbur.

### **II: Approval of Minutes**

MOTION 1:

Mr. Webster made a motion to approve the minutes of the 15 February 2006 regular meeting as submitted. Seconded by Mr. Steckman.

VOTE: Motion passed unanimously 5-0.

### **III: Additions/Changes/Acceptance of Agenda**

Mr. Webster requested time to discuss the status of the used water filtration medium that is brought to the landfill for disposal by the Stone Bridge Fire District. Chairman Wyman stated that, without objection, discussion of that issue would be added to the agenda as item 4a.

Mr. Ramotowski requested an update on the status of the new RFP for trash and recyclables collection in Town for the next contract cycle. Chairman Wyman agreed that, without objection, the status of the RFP would be added to the meeting agenda as item 4b. Mr. Ramotowski suggested that the status of the new RFP be made a regular agenda item until the new trash/recyclables contract is in place.

Mr. Hart asked how the changes in landfill operations could be placed into effect without a definition for "commercial waste" being present in the recently updated Solid Waste Management Ordinance. Mr. Webster stated that the version of the ordinance on the Town's website is the one without brackets around deleted sections (deletions are indicated in red type). A clean copy of the approved version with changes will be posted in the near future. Mr. Webster stated that

the revised ordinance does contain a definition for “residential” trash, and anything not consistent with that definition is commercial and will not be allowed in the landfill after 01 April 2006. Mr. Hart asked about “construction debris” generated by a homeowner doing renovations or repairs by himself (no commercial contractors involved). Chairman Wyman stated that the debris generated by such work will now be classified as “construction debris” and the homeowner will need to rent a commercial dumpster to handle it. Mr. Webster pointed out that the revised ordinance does allow a homeowner to dispose of one bag of construction debris per week along with his/her regular garbage. Chairman Wyman agreed that the new prohibition on the acceptance of “construction debris” should be added to the informational flyer that is being handed out at the landfill and at other locations in Town. Otherwise, there could be many angry and frustrated citizens at the landfill on 01 April 2006 when the new rules go into effect.

Mr. Webster stated that it has always been the DPW’s policy that no construction debris were allowed to be deposited in the landfill on Saturdays anyway. Chairman Wyman suggested allowing such material to be landfilled on 01 April 2006 if people showed up with it. Anyone bringing it in, however, would be told in no uncertain terms that such material will no longer be accepted. Mr. Webster recommended that 01 April 2006 be a strict cut-off date with no exceptions. Flyers indicating that commercial waste will no longer be accepted on and after that date have been and are being handed out at the landfill. Chairman Wyman asked if the landfill sign had been changed to reflect the new restrictions on what can be landfilled, and also that the hours the landfill is open to the public have been changed. Mr. Webster replied that the sign had not yet been changed, but it soon would be. Mr. Webster also noted that the local newspapers had run stories on the changes to the Solid Waste Management Ordinance. Some contractors who had been bringing construction debris to the landfill for disposal are upset about the change. Chairman Wyman stated that the Town needs to stress that the reasons the changes were made were to extend the useful life of the landfill as long as possible, and also to cut down on abuse – out of Town material being deposited in the landfill. As the cost of waste disposal increases, people will try to make others pay for the disposal of their garbage. Just recently, one of the school principals was caught dumping home trash in a school dumpster.

#### **IV: Public Input**

##### **A. Used Water Filtration Medium from Stone Bridge Fire District**

Mr. Webster stated that he wanted to discuss the status of the used filtration medium that the Stone Bridge Fire District has been bringing to the landfill for disposal for a number of years. The material has been tested and has been found to be clean enough for use as cover material. The issue, however, is whether or not this material is considered to be “commercial waste.” Mr. Ramotowski asked how frequently the water filtration plant material was actually tested. Mr. Webster replied that it was last tested about a year ago and was

clean. After it has been de-watered, it is mixed in with the material that is used as daily cover. The material is not tested every time it is brought in.

It was the consensus of the Subcommittee that the used filtration medium from the Stone Bridge Fire District was not “commercial waste” – it is a form of cover material and, therefore, can still be accepted as long as the test results show it is clean.

Mr. Webster stated that the Stone Bridge Fire District Superintendent asked if their normal trash could still be taken to the landfill for disposal. Chairman Wyman stated that such material was clearly “commercial trash” and should not be accepted after 01 April 2006. They will have to rent a dumpster like the other commercial businesses in Town.

Mr. Webster stated that he had received an inquiry from the Tree Warden concerning his ability to dispose of wood chips at the landfill. Mr. Webster stated that he told the Tree Warden that the landfill will continue to accept wood chips and chipped brush from him and even other commercial sources, because the chips can be mixed in with the cover material that is applied over the trash. Unbagged grass clippings and leaves from commercial landscapers will also still be accepted for the same reason. No unchipped brush will be accepted from commercial sources, but unchipped brush will still be accepted from residents who bring it to the landfill themselves.

#### **B. Status of New RFP for Trash/Recycling Collection:**

Mr. Webster reported that he had typed up a draft of the new RFP. The proposed contract length will be 5 years with a possible renewal (at the sole discretion of the Town) for another 5 years. Mr. Steckman asked if the proposed contract length had been vetted to the Town Council. Chairman Wyman replied that it had been, and that no objections were raised. Mr. Webster stated that he still needed to customize the document for the Town of Tiverton. He stated that he would review the RFP used three years ago to make sure the new one is consistent with it.

#### **V: Adoption of Revised Solid Waste Management Ordinance at Town Council Public Hearing of 27 February 2006**

Chairman Wyman noted that the revised ordinance was adopted by the Town Council and a final version with all requested changes is now available.

#### **VI: Re-licensing the Landfill – Discussion with RI-DEM on 07 March 2006**

Mr. Webster distributed a copy of a document titled, “Tiverton Landfill License Renewal Meeting Topics” to all Subcommittee members. This document contains

discussion points and new conditions that RI-DEM will be imposing on the Town as a part of the new landfill operating license.

Mr. Webster reported that an interesting and potentially expensive issue had come up during the license renewal process. The State of Rhode Island applies a surcharge onto every ton of commercial waste that is dumped at a landfill. The Town of Tiverton was granted an exemption from this requirement at some time in the past, so the Town has never paid the surcharge. Apparently, RIRRC, which operates the Central Landfill in Johnston, got wind of Tiverton's exemption, and asked the State why they had to pay the surcharge when the Town of Tiverton did not for commercial waste disposed of in its landfill. RIRRC was in the process of challenging the surcharge in court when they found out the only other landfill in the State (the Tiverton Landfill) was exempt. The Director of RI-DEM had proposed an amendment to the State's Solid Waste Regulations that would have removed the Town's exemption and required Tiverton to pay the surcharge on all commercial waste disposed of at our landfill. A public hearing was going to be held on 14 March 2006 on the proposed regulation change. In the meantime, however, the Town Council changed the Town's Solid Waste Management Ordinance so that the disposal of commercial waste at the Tiverton Landfill was banned as of 01 April 2006. In view of this change, the purpose of the hearing became moot, and the issue died.

Mr. Webster noted that RI-DEM was going to impose a new condition concerning the disposal of bulky/white goods at the landfill. The Town will now be responsible for draining freon from refrigeration equipment, and also removing capacitors from all electronic equipment brought to the landfill for disposal. Because freon vaporizes readily, special equipment and a licensed technician will be needed to drain and collect it. Mr. Ramotowski asked how the Town was going to meet and pay for this new requirement. Mr. Webster replied that he had included the requirement in the new RFP. The new RFP includes a section where the contractor will be responsible for draining the freon and removing the capacitors at its own facility. The Town will be billed a per-item cost by the contractor for this service. Mr. Steckman suggested that the Town institute a special fee for the disposal of refrigeration equipment to help defray this cost. Another way to handle this is to have the homeowner arrange for the company delivering a replacement unit also take away and properly dispose of the old unit.

Mr. Webster stated that it was his intention not to accept any freon or capacitor containing items at the landfill after 01 July 2006. Mr. Steckman asked what sort of items would be affected. Mr. Ramotowski replied that freons were mostly found in air conditioners, freezers, dehumidifiers, and refrigerators. The ban on capacitor-containing items would be extremely problematic, because essentially every electronic item contains capacitors. Mr. Steckman asked how often the Town collects such items at the present time. Mr. Webster replied that white goods and bulky items are collected once a month by the DPW. Mr. Ramotowski stated that it sounded like some kind of sticker system would need to be used

after 01 July 2006. To get a sticker to affix to the item to be picked up, a fee could be instituted under section 66-81(e) of the Solid Waste Management Ordinance. Institution of a fee would require Town Council approval.

Mr. Webster agreed that a sticker system would be useful. If the stickers were numbered, the number could be recorded by the contractor and matched up with the DPW log to verify how many items were actually picked up.

Mr. Webster noted that RI-DEM was also going to require the use of a dumpster to hold scrap metal items that have been brought to the landfill for disposal by residents. Scrap metal items will no longer be able to be piled directly on the ground. Mr. Ramotowski stated that this requirement will make the landfill “scavengers” quite unhappy.

Mr. Webster stated that RI-DEM had no problem with certain bulky waste items (furniture, mattresses) being taken to the landfill by the trash collection contractor as part of its normal trash collection routes. As previously discussed, no items containing freon or capacitors can be landfilled unless the freon and/or capacitors they contain have been removed.

Mr. Webster stated that RI-DEM had a problem with the way the Town has been processing construction debris. Because such debris might contain pressure treated lumber or wood painted with lead paint, RI-DEM does not want it ground up prior to disposal. Mr. Webster stated that he explained the new changes to the Town’s Solid Waste Management Ordinance that ban the dumping of construction debris at the landfill as of 01 April 2006, except for one bag a week from residences that will be collected as regular trash and no ground up. Mr. Webster noted that a huge pile of construction debris presently exists at the landfill, and it needs to be ground up (the last time we will be allowed to do that). The problem is finding the money needed to pay for renting the tub grinder used to process that material. The cost will be about \$7,500.00, and there is no money left in the landfill budget for such an expense.

Mr. Webster noted that RI-DEM wanted the landfill sign updated. It needs to indicate the new operating hours, and also what materials will and will not be accepted at the landfill. A new sign will be made to satisfy this requirement. The Town also needs to make sure that the landfill is not used for ATV, dirt-bike or snowmobile riding, and a sign to that effect also needs to be posted. Chairman Wyman stated that some people had ridden dirt bikes at the landfill in the past.

Mr. Ramotowski stated that he had been reviewing the document and felt that RI-DEM’s “capacitor” ban had been misinterpreted. The document suggests that the real concern about capacitors was related to PCBs. Decades ago, some large oil-filled capacitors contained PCBs. The use of PCB-containing insulating oils in capacitors was banned some time ago. Thus, it is very unlikely that any PCB-containing capacitors would be brought to the Tiverton Landfill for disposal.

It is also very unlikely that any consumer electronic devices or household appliances contain PCB-filled capacitors. Thus, the processing of appliances like washing machines, dryers, microwave ovens, etc., should not be affected by the “capacitor” ban. It is only PCB-containing capacitors that are banned, and such items would now probably only be found in large, industrial electronic equipment (if at all). Mr. Webster stated that he would review the capacitor ban issue again with RI-DEM to make sure the Town understands exactly what is required. Mr. Steckman stated he agreed that it was best if the Town’s disposal contractor handled such items.

Mr. Ramotowski asked how Pare Engineering was going to be paid for the on-going work associated with the landfill’s license renewal in view of the fact that most of the landfill budget line items have been exhausted. Mr. Webster stated that Pare Engineering had estimated up-front that it would cost about \$22,000.00 to get the landfill license renewed. Based upon that estimate, \$22,000.00 was set aside for this use from the landfill’s testing and engineering services line item. Thus there is money to pay for the license renewal. The problem is that there is no money to pay for the rest of the work the Town needs to have Pare do during the rest of the fiscal year.

## **VII. Current Budget Status and Budget for FY 06/07**

Mr. Webster provided a copy of the current landfill budget status to each member of the Subcommittee. Most of the line items for the landfill have been exhausted. Mr. Hart questioned the expense for “Port-O-Johns” at the landfill. Mr. Webster replied that the Port-O-Johns are the only toilets at the landfill. Mr. Hart pointed out that there were bathroom facilities at the Town Farm Recreational Facility at the entrance to the landfill. Mr. Webster stated that the water to those facilities is shut off during the winter months. The Port-O-Johns are only on-site when the Town Farm facilities are off-line.

Mr. Ramotowski asked how the Town’s recycling bin supply was holding up in view of the growing demand for bins from the large developments that will have to participate in the Town’s recycling program as of 01 July 2006. Mr. Webster stated that the supply was dwindling rapidly. The DPW had to purchase a bunch of extra bins recently to maintain an adequate supply (\$827 for 336 bins). So far this year, the DPW has spent \$1156 on bins in the current fiscal year. That is a rather large unanticipated expenditure that has to be addressed. Mr. Steckman noted that two bins (one green and one blue) are given out for free to new residents.

Mr. Webster suggested that the Town consider charging residents for the bins. They cost the Town about \$2.60 each, so \$3.00 a bin would be reasonable. The Town will need to purchase more bins before the fiscal year ends. We have to send a truck to the RIRRC building at the Central Landfill to pick up the bins we order/purchase. So far this year, the Town has given away about 420 bins.

Chairman Wyman stated that he was concerned that charging for the bins could have a negative effect on resident participation in the Town's recycling program. Mr. Ramotowski suggested that residents just needed to be more responsible concerning the bins. For example, there is a place on each bin where the owner can write his/her address, so if the bin blows down the street on a windy collection day, it can be identified and returned to its rightful owner.

Chairman Wyman asked if the plan was to give two free new bins to each resident in Country View Estates, the Village at Mount Hope Bay, etc. Mr. Webster stated that the policy has been to give the bins to new residents for free. Mr. Steckman stated that the bins really belong to the property, and not to the person living at the address. If a house is sold, the current owner should be giving the bins to the new owner. Mr. Webster stated that he was convinced that some people were taking the bins with them out-of-Town when they moved. Some people may also be using them for their own personal storage and then asking for new bins from the DPW garage.

Mr. Ramotowski pointed out that even if a fee were charged to residents for the bins, the money collected would, by Charter, be deposited in the General Fund. It cannot be kept by DPW to purchase new bins. Mr. Webster stated that if the fee could not be retained to purchase new bins, then its collection was pointless.

### **VIII: Alternate Landfill Cover Material – Newport Housing**

Mr. Webster reported that the Newport Housing site was a possible source for about 1,500 cubic yards of landfill cover material. The contractor is presently having the leaching test run on samples of the material at his expense. Once the results are available, they will be forwarded to Pare Engineering for review and transmittal to RI-DEM for approval. Chairman Wyman asked why the contractor was not also paying the cost of Pare's review. Chairman Wyman stated that, in view of the landfill's present fiscal situation, a process should be instigated by which the Town will pay for the cost of Pare's review if the material is found to be unacceptable for our use. If however, the material is acceptable and is trucked to the landfill, the contractor should pay Pare's expenses as well. Mr. Webster stated that the Subcommittee had wanted Pare to come up with a standard procedure by which cover material would be accepted by the Town for use at the landfill. That project was not funded this year because of the need to get the landfill's operating license renewed. Mr. Steckman suggested that Chairman Wyman's suggestion be added to the agenda for the next Subcommittee meeting so that its pros and cons could be discussed further.

### **IX: Adjournment**

Chairman Wyman noted that the next meeting for the Landfill Subcommittee was scheduled for 3:00 PM on Wednesday, 19 April 2006 at the Town Hall.

There being no further business to discuss, the Landfill Subcommittee's 15 March 2006 regular meeting adjourned at 5:02 PM.

These minutes were recorded and compiled by T. Ramotowski